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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,292	11/03/2003	Phillip M. Gibbs	5490-000224/US/CPB	6515

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06/10/2009

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EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 06/10/2009

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10700292	11/3/2003	GIBBS, PHILLIP M.	5490-000224/US/CPB

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Anu Ramana

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Commissioner for Patents

The reply filed on March 23, 2009 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s). Claims 1 and 8 contain new matter. Specifically, claim 1 recites each liner to have a plurality of attachment passages in the trial bearing liner. Applicant's disclosure, as originally filed, provides support for a plurality of bearing liners, each bearing liner having an attachment passage, the attachment passage of each bearing liner situated at a distance from a respective apex of a respective bearing liner, wherein the distance is different for each of the plurality of bearing liners. Claim 8 appears to recite that the first and second trial bearing liners can be simultaneously attached to the acetabular prosthesis. Applicant's disclosure, as originally filed, provides support for attachment of only one trial bearing liner, at a time, to an acetabular prosthesis. Claim 12 is indefinite because of recitation of a "a first trial bearing liner plane in part" and "a second trial bearing liner plane in part." In addition, claim 28 is indefinite because it is unclear how an outer dimension can define a plane. Appropriate correction of the above is required. Applicant's amendments of the remaining claims appear to have overcome the rejections of record. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

June 7, 2009

/Anu Ramana/
Primary Examiner, Art Unit 3775